

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

MAX RUSSELL HOLLIS, JR.,

Plaintiff,

v.

**KULWANT SINGH and
SAHOTA BROTHERS,**

Defendants.

No. 10-0301-DRH

ORDER

HERNDON, Chief Judge:

Pending before the Court is Defendant Sahota Brothers' April 29, 2010 motion to dismiss (Doc. 4). Specifically, Sahota Brothers maintains that the complaint against it must be dismissed as it is legally nonexistent and cannot be sued. Sahota Brothers contends that it is nothing more than a business name; that it is not incorporated nor is it any other type of business entity. As of this date, Hollis has not responded to the motion. Pursuant to Local Rule 7.1(c), the Court finds that failure to respond to the motion to dismiss as an admission of the merits of the motion.¹ Thus, the Court **GRANTS** the motion. The Court **DISMISSES with prejudice** Sahota Brothers as a Defendant in this action.

IT IS SO ORDERED.

Signed this 4th day of June, 2010.

/s/ David R. Herndon

**Chief Judge
United States District Court**

¹**Local Rule 7.1(c)(1)** provides in part: "An adverse party in a civil case shall have **30 days** after service of a motion listed above to file a response. ... Failure to timely file a response to a motion may, in the Court's discretion, be considered an admission of the merits of the motion."